

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:13-CR-00323-1FL

UNITED STATES OF AMERICA :
 :
 v. :
 :
 ANTOINE JOSEPH HARRIS :

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a plea of guilty by the defendant, Antoine Joseph Harris, on May 13, 2014 to violations of 18 U.S.C. §§ 922(g) and 924, and further evidence of record and as presented by the Government, the Court finds that the following personal property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), to wit: a Phoenix Arms, Model HP25A, .25 caliber pistol, Serial Number 4276517, and accompanying ammunition; and

WHEREAS, by virtue of said finding, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant ANTOINE JOSEPH HARRIS, the United States is hereby authorized to seize the above-stated personal property, and it is hereby forfeited to the United States for disposition in accordance with the law, as allowed by Fed. R. Crim. P. 32.2(b)(3). In

accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. That pursuant to 21 U.S.C. § 853(n), the United States shall send notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property, must file a petition with the Court within 30 days of receipt of actual notice.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(c)(2).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED. This 7th ^{August} day of ~~June~~, 2014.


LOUISE W. FLANAGAN
United States District Judge